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HOUSE BILL 3138 By
Sands

SENATE BILL 3074
By Burks

AN ACT relative to state natural areas and
scenic rivers and to amend Chapters
13 and 14 of Title 11.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

Section 1. Tennessee Code Annotated, Title 11, Chapter 13 is amended by adding the following new, appropriately designated section:

The department shall maintain a registry of riparian lands along designated scenic rivers that are not within a scenic river boundary established under section 11-13-108 and are not in state ownership, and whose owners have voluntarily agreed to maintain them in a natural state. Such registration shall not be binding nor shall it involve any transfer of property rights. However, owners of riparian lands so registered may at any time voluntarily consent to have such areas included within Scenic River boundaries as provided in section 11-13-108. The Commissioner may adopt guidelines or regulations for the administration of this voluntary registration program including, but not limited to, the uses that may be made of lands in the registry. Owners of lands in the registry shall be permitted to make public the fact that the area is so listed. If the commissioner finds at any time that the owner has failed to maintain any such lands in a natural state, they shall be removed from the registry.

Section 2. Tennessee Code Annotated, Section 11-13-104 is amended by adding the following language under “Class I Natural River Areas” so as to maintain the list in alphabetical order:

Wolf River – That segment of the river in Fayette County and Shelby County, from the point where it enters Tennessee at the Mississippi border in Fayette County downstream to the Collierville Arlington Road approximately one (1) mile into Shelby County.

Section 3. Tennessee Code Annotated, Section 11-13-108 is amended by deleting subsection (b)(1) and substituting instead the following that adds references to the stream designated in section 2 of this act:

(b)(1) For the establishment of boundaries on the Duck and the Wolf scenic rivers created by §11-13-104, the commissioner of environment and conservation shall engage in a program of cooperative effort with landowners. As soon as practicable, the commissioner shall engage in a program of outreach and education of the property owners in the area of the river segments and the local community to explain the program and the environmental and economic benefits it affords. The commissioner shall then, using sound discretion and considering all relevant circumstances, establish a perpetual boundary of the scenic river areas associated with the rivers or river segments. If any of the proposed boundaries of these scenic river areas includes private property, the state shall obtain the notarized consent of the private landowner before establishing the boundary.

Section 4. Tennessee Code Annotated, Section 11-14-108(b)(2) is amended by adding the following as appropriately designated subsections:

() Meeman-Shelby Forest. An area of approximately eleven thousand (11,000) acres located within Meeman-Shelby State Park in Shelby County. This area supports large unfragmented cypress dominated sloughs and bottomland hardwood forests that represent exemplary forest communities of the Mississippi Alluvial Plain in west Tennessee. It also supports significant unfragmented upland hardwood forests occurring along the Chickasaw Bluff.

() Auntney Hollow. An area of approximately twenty-seven (27) acres located in Lewis County that supports the federally listed plant, Tennessee yellow-eyed grass (*Xyris tennesseensis*). This Western Highland Rim site protects a significant population of this rare plant, which occurs here in a globally rare *Xyris* seep community. The rare Grass-of-Parnassas (*Parnassia grandifolia*) is a codominant plant species of the *Xyris* seep community.

() Carroll Cabin Barrens. An area of approximately two hundred (200) acres located in Decatur County. This West Tennessee Uplands site supports a rare glade/barrens community that occurs in association with outcrops of Silurian limestone formations. The Limestone Hill Barrens Community grassland is dominated by little bluestem (*Schizachyrium scoparium*) with rare plant species that include barrens silky aster (*Aster pratensis*), hairy fimbriistylis (*Fimbristylis puberula*), and slender blazing star (*Liatris cylindracea*).

() Duck River Complex. A complex of 6 separate subunit natural areas totaling approximately two thousand one hundred (2,100) acres within the 12,000 acre Duck River Wildlife Management Area in Maury County. Located in the Central Basin, these areas support rare species associated with globally rare cedar glades and barrens communities, including the federally listed leafy prairie-clover (*Dalea foliosa*). The areas support diverse forest community types, caves and other karst features, and scenic attributes associated with a segment of the Duck Scenic River that flows through this public land.

() Scott's Gulf. An area of approximately eight thousand (8,000) acres within the 10,000-acre Bridgestone/Firestone Centennial Wilderness Area in White County. This Cumberland Plateau site supports the federally listed Cumberland rosemary (*Conradina verticillata*) and several federally listed animal species including the gray bat (*Myotis grisescens*) and the Indiana bat (*Myotis sodalis*). The Caney Fork River meanders approximately 10 miles through the gulf, where there is a diversity of forest types, caves and steep escarpments. This area includes a 1,000-foot set back from the top of the escarpment along the plateau.

Section 5. Tennessee Code Annotated, Subsection 11-14-108(b)(1)(P) concerning Ghost River (Section of the Wolf River) is amended by deleting the language, "two thousand (2,000) acres" and substituting instead, "two thousand two hundred twenty (2,220) acres".

Section 6. Tennessee Code Annotated, Subsection 11-14-108(b)(2)(F) concerning Colditz Cove is amended by deleting the language, “seventy-two (72) acres” and substituting instead, “one hundred sixty-five (165) acres”.

Section 7. Tennessee Code Annotated, Subsection 11-14-108(b)(2)(V) concerning Frozen Head State Park is amended by deleting the language, “two thousand seven hundred acres (2700)” and substituting instead, “three thousand nine hundred and fifty (3950) acres”.

Section 8. Tennessee Code Annotated, Subsection 11-14-108(b)(2)(N) concerning Fall Creek Falls State Park is amended by deleting the language, “fourteen thousand two hundred seventy (14,270) acres” and substituting instead, “fifteen thousand five hundred seventy-nine (15,579) acres”.

Section 9. Tennessee Code Annotated, Subsection 11-14-108(b)(2)(N) concerning Fall Creek Falls State Park is further amended by deleting the language, “twenty-one thousand twenty (21,020) acre” and substituting instead, “twenty-two thousand three hundred twenty-nine (22,329) acre”.

Section 10. Tennessee Code Annotated, Subsection 11-14-108(b)(2)(GG) concerning Couchville Cedar Glade is amended by deleting the language, “A seventy-nine (79) acre” and substituting instead, “An eighty-four (84) acre”.

Section 12. This Act shall take effect upon becoming a law, the public welfare requiring it.

